

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SAMUEL GASCA DURAN, #1529734

§  
§  
§  
§

VS.

CIVIL ACTION NO. 4:12cv266

DIRECTOR, TDCJ-CID

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections have been filed. After reviewing the Report and Recommendation, the court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is therefore

**ORDERED** that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is further  
**ORDERED** that all motions by either party not previously ruled on are hereby **DENIED**.  
**SIGNED this 30th day of September, 2015.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE